

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 3, 2006

D048020 In re Jose L., a Juvenile

The judgment terminating parental rights is reversed and the case is remanded to the juvenile court with direction to order the Agency to comply with the notice provisions of ICWA, the relevant case law interpreting ICWA, and the views expressed in this opinion, and to file all required documentation with the juvenile court. If after proper notice, a tribe claims Jose is an Indian child, the juvenile court shall proceed in conformity with all provisions of ICWA. If, on the other hand, no tribe claims that Jose is an Indian child, the judgment terminating parental rights shall be reinstated. Huffman, J. Benke, Acting P.J., Nares, J,

D047989 In re Selina D., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting, P.J., Huffman, J.

D046699 People v. Rhodes

The judgment is affirmed. Huffman, J; We Concur: Benke, Acting P.J., Aaron, J.

D048702 Wanakeya S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Wanakeya S. has notified the court that a petition for writ of mandate under California Rules of Court, rules 38.1 and 1436.5 will not be filed as there are no viable issues for writ review. The case as to Wanakeya S. is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 5, 2006

D048906 People v. Lawrie

The notice of appeal is premature because no appealable order or judgment has yet been entered. The appeal is dismissed without prejudice to refile a notice of appeal after an appealable order or judgment has been entered.

D046708 People v. Garcia

The judgment is affirmed. McDonald, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D047088 Brierton v. Department of Motor Vehicles

The opinion filed on June 13, 2006 is modified. The petition for rehearing is denied. There is no change in the judgment.

D047887 In re Samantha J., a Juvenile

The judgments are affirmed. Benke, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.

**D048550 Republic Indemnity Company of America v. Workers' Compensation
Appeals Board and Earl Kauffman**

The petition is denied. Kauffman's request to remand the case to the WCAB for an award of supplemental attorney fees is also denied.

D048541 In re Lopez on Habeas Corpus

The petition is denied.

**D048584 San Diego Metropolitan Transit Development Board v Superior Court of San
Diego County/OPM Inc., et al**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 6, 2006

D048777 Leslie P. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Leslie P. has notified the court that a petition for writ of mandate under California Rules of Court, rule 38.1 and 1436.5 will not be filed as there are no viable issues for writ review. The case is dismissed.

D047793 In re Marriage of Lord

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D047158 O'Toole et al. v. Superior Court of San Diego County/San Diego Community College District et al.

D047230 San Diego Community College District et al. v. Superior Court of San Diego County/O'Toole et al.

The petition for rehearing and request to certify constitutional question to the California Supreme Court are denied.

D046931 People v. Heupel

The judgment is affirmed, the orders are reversed and the matter is remanded to the trial court to make the appropriate corrections to the orders. McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.

D046422 Laycock v. Hammer, Jr. et al.

The judgment is affirmed. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: McConnell, P.J., O'Rourke, J.

D046901 People v. Reid

The judgment is affirmed. McIntyre, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D044513 In re Lopez on Habeas Corpus

The petition for rehearing is denied.

D048291 People v. Gargano

Appellant has failed to file a brief after notice given. The appeal is dismissed.

D048936 Beckwith v. Superior Court of San Diego County/Interinsurance Exchange of the Automobile Club of Southern California et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 6, 2006 (Continued)

D048902 Drews v. The Superior Court of Imperial County/People
The petition is denied.

D048881 People v. Smith
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 7, 2006

D04810 In re Ryan F., a Juvenile

The judgment is affirmed. Benke, Acting, P.J.; We Concur: Huffman, J., McIntyre, J.

D046954 People v. Pratts

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Haller, J.

D047093 People v. Meltz

The judgment of conviction is affirmed. The judgment is modified to vacate the sentence. The case is remanded with directions to consider any claim that counsel was ineffective and whether there should be a substitution of counsel (People v. Smith, supra, 6 Cal.4th at pp. 694-696) and then hold a hearing on the merits of Meltz's motion to withdraw his plea. McIntyre, J.; We concur: McConnell, P.J., Nares, J.

D048079 In re Saucedo on Habeas Corpus

The order is reversed. The matter is remanded for an evidentiary hearing and ruling on the request for relief in the habeas petition. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D048884 Drews v. Superior Court of San Diego County/People

The petition is denied.

D047829 People v. Rollins

The judgment is affirmed. Nares, J.; We Concur: Benke, J., McIntyre, J.

D048580 In re Hayes on Habeas Corpus

The petition is denied.

**D048719 Marriott International, Inc. v. Workers' Compensation Appeals Board and
Beach Cities Surgery Center et al.**

The decision of the WCAB is annulled and the matter is remanded for further proceedings.

D048620 Strothers v. Superior Court of San Diego County/Strothers

The petition is denied.

D048805 Davidson v. Davidson

Because appellant did not timely pay the filing fee, the appeal is dismissed. (Cal. Rules of Court, rule 1(c)(5)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 7, 2006 (Continued)

D046728 County of San Diego v. Grossmont-Cuyamaca Community College District

The judgment is reversed, and the matter is remanded to the superior court with directions to issue a peremptory writ (1) vacating the District's certification of the final EIR, its adoption of the CEQA findings and the statement of overriding considerations, and its approval of the master plan; and (2) ordering the District not to take any further action to approve the project without the preparation, circulation and consideration under CEQA of a legally adequate environmental impact report with regard to the off-campus traffic mitigation issues. The County shall recover its costs on appeal. CERTIFIED FOR PUBLICATION Nares, Acting P.J.;
We Concur: McIntyre, J., Aaron, J.